

REMARKS

Claims 1-20 are pending in the application. Claim 1 was amended to more particularly point out and distinctly claim the present invention.

No new matter was added. The newly recited limitation is inherent in Figs. 12, 17 and 21. Such a limitation is permissible to distinguish an invention over the prior art. See MPEP 2173.05(i).

For at least the reasons set forth below, withdrawal of all outstanding rejections is respectfully requested.

Prior Art Rejections

Claims 1, 2, 5-7, 10, 27 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Aoki et al. (hereafter "Aoki") in view of Inoue '858 and Spector.

Claims 8 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Aoki in view of Inoue '858 and Spector, and further in view of Everidge et al.

1. Patentability of independent claim 1 over Aoki in view of Inoue and Spector

Claim 1, as amended, recites, *inter alia* (underlining added for emphasis):

a second functional portion, which is provided for the cartridge body and which produces an audiovisual effect by cooperating with the first functional portion of the disc,

wherein the cartridge body is not provided with a portion that produces the audiovisual effect by cooperating with the first functional portion of the disc.

Amended claim 1 recites that the cartridge body is not provided with a portion that produces the audiovisual effect by cooperating with the first functional portion of the disc. This limitation is not disclosed or suggested in Aoki, Inoue '858 or Spector.

The Examiner acknowledges that Aoki fails to disclose a second functional portion, which is provided for the cartridge body and which produces an audiovisual effect by cooperating with the first functional portion. Similarly, Inoue '858 does not disclose a second functional portion, which is provided for the cartridge body and which produces an audiovisual

effect by cooperating with the first functional portion. Thus, Aoki and Inoue '858 cannot disclose that a portion of the cartridge body is not provided with a portion that produces the audiovisual effect.

The Examiner states that Spector discloses a second functional portion, which is provided for the cartridge body and which produces an audiovisual effect by cooperating with the first functional portion of the disc (Fig. 6, item 18). However, Spector discloses that the portion 14 of the picture which is printed on the disc is also printed as portion 14A on the inner surface of the rear cover panel (see Fig. 6). Thus, Spector does not disclose a second functional portion, which is provided for the cartridge body and which produces an audiovisual effect by cooperating with the first functional portion of the disc, wherein the cartridge body is not provided with a portion that produces the audiovisual effect by cooperating with the first functional portion of the disc. For this reason, Aoki, Inoue '858 and Spector do not disclose or suggest the invention recited in claim 1.

Accordingly, claim 1 is believed to be patentable over the applied references.

2. Patentability of the dependent claims

The dependent claims are believed to be patentable over the applied references for at least the reason that they are dependent upon allowable base claims and because they recite additional patentable elements and steps.

Conclusion

Insofar as the Examiner's rejections were fully addressed, the present application is in condition for allowance. Issuance of a Notice of Allowability of all pending claims, including the previously withdrawn claims, is therefore requested.

Respectfully submitted,

Yoshito Saji *et al.*

Feb. 15, 2007 By: 
(Date)

CLARK A. JABLON
Registration No. 35,039
AKIN GUMP STRAUSS HAUER & FELD LLP
One Commerce Square
2005 Market Street - Suite 2200
Philadelphia, PA 19103
Direct Dial: (215) 965-1293